

SENATE BILL NO. 238

BY SENATOR CASSIDY AND REPRESENTATIVES LEBAS AND MILLS

AN ACT

To enact R.S. 40:1064.1, relative to expedited partner therapy; to provide for the prescription of medications to individuals who may have been exposed to certain venereal diseases absent a doctor-patient relationship and absent a clinical assessment; to provide for the promulgation of rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1064.1 is hereby enacted to read as follows:

§1064.1. Expedited partner therapy

A. The purpose of this Section is to allow for the provision of medications or prescriptions by any physician licensed to practice medicine in this state or any advanced practice registered nurse who is licensed to practice nursing in this state, or any physician assistant, who is licensed to practice in this state, provided such physician or nurse or physician assistant has the authority to write prescriptions in this state, to individuals who may have been exposed to gonorrhea or chlamydia. Expedited partner therapy is hereby authorized absent a doctor-patient relationship and absent clinical assessment.

B. Notwithstanding any other provisions of law to the contrary, any physician or any advanced practice registered nurse who diagnoses or does a nurse clinical assessment or any physician assistant who performs an examination of a case of chlamydia or gonorrhea in an individual patient may

1 prescribe, furnish, or otherwise provide prescription antibiotic drugs to that
2 patient's sexual partner or partners absent a doctor-patient relationship or
3 absent an advanced practice registered nurse-patient relationship and without
4 examination or nurse clinical assessment or physician assistant examination of
5 that patient's sexual partner or partners.

6 C. If expedited partner therapy is chosen as an alternative, the patient
7 with a case of chlamydia or gonorrhea will be given a written document that he
8 agrees to give to his sexual contact. The document will contain, but will not be
9 limited to, the following information:

10 (1) The sexual contact should be examined and treated by a physician,
11 advanced practice registered nurse or physician assistant, if at all possible.

12 (2) The medicine or prescription for medicine given to the sexual contact
13 by the patient should not be taken by the contact if the contact has a history of
14 allergy to the antibiotic or to the pharmaceutical class of antibiotic in which
15 case the sexual contact should be examined and treated by a physician,
16 advanced practice registered nurse or physician assistant and offered another
17 type of antibiotic treatment.

18 (3) The medicine or prescription for medicine given to the sexual contact
19 by the patient should not be taken by the contact if the contact is pregnant, in
20 which case the sexual contact should be examined by the prenatal care health
21 care provider.

22 D. Any pharmacist licensed to practice pharmacy in this state may
23 recognize a prescription authorized by this Section as valid notwithstanding any
24 other provision of law or administrative rule to the contrary.

25 E. The provisions of this Section which relate to expedited partner
26 therapy shall be implemented according to rules promulgated by the secretary
27 of the Department of Health and Hospitals in accordance with the
28 Administrative Procedure Act.

29 Section 2. This act shall become effective upon signature by the governor, or, if not
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____